

REMARKS

Initially, the Examiner identified two inventions, Invention I (claims 1-30) drawn to a hulling apparatus and Invention II (claims 31-41) drawn to a method of operating a hulling apparatus, as being distinct from each other. A provisional election was made by telephone to elect Invention I, claims 1 through 30, for prosecution on the merits. Although initially indicated to be with traverse, Applicant hereby makes the above election without traverse. This election is hereby confirmed and claims 31 through 41 are cancelled.

With regard to the merits, the Examiner rejected claims 1, 2, 4-8, 12, 15-18 and 30 under 35 U.S.C. § 102(b) as being anticipated by Kile. The Examiner rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Kile in view of Fauth. The Examiner identified claims 20-29 as being allowed. The Examiner identified claims 3, 9-11, 13 and 14 as being objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, the Applicants have canceled the non-elected claims 31-41 and have amended certain claims, canceled other claims and added new claims to place the objected to claims in condition for allowance. Applicant believes the amendments made in response to the Examiner's rejections and objections have placed the application in position for allowance.

The amendments to the claims consist of the following:

Claim 1 - Amended claim 1 to incorporate the limitations of claim 9, which was objected to by the Examiner.

Claim 9 - Canceled claim 9 as being incorporated into claim 1 above.

Claim 18 - Amended claim 18 to depend correctly from claim 17 instead of claim 14.

Claim 42 - Added new independent claim, which incorporates the limitations of original claim 1 and original claim 13, which was objected to by the Examiner and, as such, is believed to be allowable.

Claim 43 - This claim has the same limitations (dependent form) as the original claim 14, except its dependency.

Claim 44 - This claim has the same limitations as the original claim 10.

Claim 45 - This claim has the same limitations as the original claim 11.

Three (3) independent claims and forty-one (41) total claims were included in the original application. Eleven claims are being cancelled and four claims are being added. As a result, no additional fees for claims are believed due.

In view of the foregoing, it is submitted that this application is in condition for allowance. Allowance of claims 14-20 is solicited.

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Respectfully Submitted,

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